

CONSERVATION COMMISSION

Minutes

May 5, 2022(Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

Present: Edward Clancy-Chairman, John Skarin; Allan White, David Williams, Karin Paquin, William Dunbar and Dennis Demers. Priscilla Ryder - Conservation Officer was also present.

Absent: none

Approval of Minutes: The minutes of April 21, 2022, were reviewed and on a motion by Mr. White second by Chairman, to approve, the commission voted unanimously 7-0.

Violations:

Letter to Alexandre Sampaio – RE: Follow up on Wetland Violation – 541 Pleasant St. –

Mr. Sampaio was present, and he apologized for not appearing at the last meeting there was a mix up. He explained that would like to just replant trees and not do the full plan as previously discussed. Ms. Ryder noted that she and Mr. White, Mr. Dunbar and Ms. Paquin had inspected the site and found the existing wetland flags which appear to be accurate. The tree clearing violation was extensive and did impact a wetland area in the back. Ms. Ryder explained that per the legal office the commission has two options, to require the owner to restore what was disturbed to correct the violation, or file for a permit with a plan showing what was disturbed, what additional work is to be done and include a restoration plan for the area cleared within the 30-buffer zone. The Commission members noted that it has been 2 years since Mr. Sampaio initially cleared the buffer zone and wetland area and the Commission has been patient in trying to work with him to restore the area. They noted that during the site walk they found shoots from tree stumps that had been cut down, which should have been allowed to resprout and were disappointed because these new sprouts could have replaced trees that otherwise would need to be planted. After extensive discussion the commission determined that Mr. Sampaio needed to provide a plan to the commission which includes counting the number of stumps that are 5" in diameter or larger that were originally removed two years go. Then based on that number, provide a reasonable planting plan to replace and restore this area. Ms. Ryder was asked to provide the Buffer zone Guidelines from Weston as a good example of trees that can be planted etc. Once a plan is provided the Commission will review and determine whether the planting plan is reasonable and will restore the area. The Commission will look forward to seeing a plan at the May 19 or June 2nd meeting. Mr. Sampaio thanks the commission for their consideration and will return with this information.

Public hearings:

Notice of Intent (continued from 4/21/2022)

74 & 82 Paquin Dr. – Scott Ferrecchia

Mr. Robert Parente P.E. and Mr. Scott Ferrecchia owner, were both present. Mr. Parente explained that based on the site visit he has revised the plans and pulled the wall away from the water and shortened the wall. He has also removed any work for 74 Paquin Dr. so the permit should only pertain to 82 Paquin Dr. He showed a picture of the water level that afternoon which is below the stakes. Ms. Ryder noted that as discussed in the field the wall as shown will be located where the existing slope used to be and no filling of the land under water is now proposed. It was agreed that this new plan was acceptable and met the requirements that have been discussed. There being no further discussion the hearing was closed. Ms. Ryder was asked to draft a set of conditions for review at the next meeting on May 19, 2022.

Request for Determination of Applicability**55 Clinton St. – Carlos Costa**

Proposes to resurface the existing driveway, add a new deck, and establish a lawn in the side yard near wetlands. The applicant did not show for this hearing, so the meeting was continued to the May 19th meeting and Ms. Ryder was asked to reach out to applicant to be sure he will attend.

Request for Determination of Applicability (continued from 4/21/2022)**283 – 325 Lincoln St. - ALTA Marlborough LLC**

Phil Cordero from Allen and Major was present to represent the Applicant Wood Partners. He noted that the Commission held a site visit one week ago to check out the site. Ms. Ryder noted that several commission members attended and reviewed the area noting that the channel appears man-made lined with stone, the banks are covered with the invasive Japanese Knotweed and there is a tree cover of mixed tree types. As shown on the GIS maps and as observed in the field, this area is collecting drainage water from several areas, it is held here then continues to drain into the city drainage system. Chairman Clancy noted that this area has been degraded for many years as part of the old train yard, and it has always had drainage and water issues. Flooding of the area has occurred when the pipes have not been maintained so that needs to be part of any future design. Mr. Dunbar noted that there is a drainpipe under the building, and he wanted to be sure that was known. Mr. Cordero noted that it is on the plan. After some discussion it was determined that based on the site visit, this area does not function or meet the wetland criteria and is only to be considered a drainage area. However, the commission wanted to be sure the City Engineer is aware of the flooding and drainage issues of this area to be sure they are incorporated into any future designs. There being no further discussion the hearing was closed. On a motion by Mr. White, second by Chairman Clancy to issue a negative determination noting there are no wetlands on the site, the Commission voted unanimously 7-0 to approve the motion.

Notice of Intent**192 Robin Hill St. - Hillside School**

Chris Anderson of Hannagan Engineering was present representing Hillside School. He explained that the school would like to install, and elementary school building where had been located before it burned in 2020. This would be a day program only. The design includes a driveway, building, raingarden, detention basin and parking. The wetlands were delineated last fall and this spring by Caron Env. The plan respects the 30' wetland buffer zone. Ms. Ryder noted that she has checked the delineation and several flags were missing but none that would affect the design. She noted several areas where some flags could be eliminated to enlarge the wetland. She will provide these changes to Mr. Anderson. The Commission asked about snow storage, maintenance of the rain garden which should be included in the stormwater operation and maintenance plan to be provided. The Commission asked about the sizing of the basins and other mitigation measures. The Commission asked Mr. Anderson to adjust the wetland line on the plans and include any changes he's waiting for from the City Engineer and provide this at the next meeting on May 19th. The hearing was continued to May 19th and the Commission asked Ms. Ryder to draft a set of conditions for review then as well.

Notice of Intent – Amend (continued from 4/21/2022)**322 Hayes Memorial Dr. (Lot L) - Marlborough/Northborough Land Realty Trust (amend Order of Conditions 212-1229)**

Mr. William Park and Mr. Jesse O'Donnell from SMMA, Mr. Dan Dedinsky and Israel Lopez from Gutierrez Co. were present. Mr. O'Donnell & Mr. Park explained that they have made some changes to the plans based on comments from the last meeting and he went over the changes as shown, including snow storage, O&M plan, details on the sewer construction and pump bypass system and how this will be connected, how dewatering will be done, and access path for future maintenance needed. Mr. Dedinsky explained the erosion control and construction sequencing to be done, temporary basins to be used, invasive plant removal, wash stations. He noted that he has been providing the weekly reports for 149 Hayes Memorial Dr. and has learned many lessons from that site, which should allow this site to run much more smoothly. There was discussion about the sewer pipe and how the old one would be abandoned. When there was no further discussion, the hearing was closed. Ms. Ryder was asked to draft a set of amended conditions for the next meeting for review.

Notice of Intent (continued from 4/21/2022)

630 and 686 Forest St. – Yellow Brick, LLC

Mr. David Cowell from Hancock Engineering was present and representing the owner Steve Turner. He explained the changes made to the plan-based on <https://tinyurl.com/yxfj6gpdn> the last meeting including storage locations, catch basin protections, erosion controls. He noted that the project is proceeding, and the downstream headwall has been placed and stabilized with rip rap. Pumping around the project has worked well and continues to be adequate. He had provided a summary of the downstream impacts which occurred when the project was started and noted that a significant amount of sediments are visible downstream, with the thickest 18" just below the headwall. Ms. Ryder and Ms. Paquin had walked the site and noted that the sediment can be traced down to the first stone wall and they suggested that the silt within the stream channel from the headwall to the stonewall be removed. It is very fine silt and is easily resuspended and should be removed to improve downstream water quality and stream health. Mr. Cowell noted that this would be removed by hand with shovels and buckets. The Commission asked that this be done as soon as possible before the vegetation gets too thick. Mr. Cowell will convey and see that this is done soon. The cleared slope still needs to be planted, Mr. Cowell will provide a planting plan for this area at the next meeting, which should be the last item required for this project. The Commission agreed and continued the hearing to the May 19th meeting. Ms. Ryder was asked to draft a set of conditions for review at that meeting as well.


Project Updates/Correspondence/Other Business - The following correspondence was reviewed, and the Commission unanimously voted to accept and place on file.

- 212-1229 2022 Wetland Restoration Monitoring Report Parcel L Hayes Memorial Dr.
- Letter to Rick Borden – RE: Wetland violation-Martin Angelo Dr. from 100 Campus Dr. garage - Marlborough, dated 4/20/2022
- Letter to Jim Orlando – RE: Stormwater & wetland violation notice – fine \$300 – 96 Crowley Dr.

Next Conservation Commission meetings: May 19th and June 2nd, 2022

Adjournment - There being no further business on a motion by Mr. White second by Mr. Clancy, the meeting was adjourned with a unanimous vote of 7-0 at 9:33 PM.

Respectfully submitted,


Priscilla Ryder
Conservation/Sustainability office